

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

BYANKA AGUIRRE, *et al.*,

Plaintiffs,

vs.

UNITED STATES OF
AMERICA, *et al.*,

Defendants.

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CASE NO. 1:20-cv-1913

OPINION AND ORDER
[Resolving Doc. 14]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Known as a “Petition for Alien Relative,” Federal Form I-130 is the “first step in helping an eligible relative” of a United States Citizen or lawful permanent resident “apply to immigrate to the United States and get a Green Card.”¹ On December 9, 2016, Plaintiff Byanka Aguirre, a United States Citizen, filed Form I-130 with Defendant United States Citizenship and Immigration Service (“USCIS”), seeking to identify co-Plaintiff Mohamed Benhrama as her husband.² On August 13, 2019, after a lengthy administrative process, Plaintiffs’ I-130 petition was denied.³

On August 27, 2020, Plaintiffs sought Administrative Procedure Act judicial review of Defendant USCIS’s adverse decision.⁴ Plaintiffs also sued the United States of America, the U.S. Secretary of Homeland Security, the U.S. Attorney General, and the Head, District,

¹ United States Citizenship and Immigration Services, *I-130, Petition for Alien Relative*, <https://www.uscis.gov/i-130> (last visited Apr. 14, 2021).

² Doc. 1-1 at 8.

³ *Id.* at 10; Doc. 1-4.

⁴ Doc. 1-1.

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and Field Office USCIS Directors that processed Plaintiffs' I-130 petition.⁵ Plaintiffs asked this Court to "order USCIS to re-adjudicate and approve the I-130 Petition in a proper and lawful manner."⁶

On February 10, 2021, while this case was pending, Defendant USCIS informed Plaintiffs in writing that it had reopened Plaintiffs' case and approved Plaintiffs' I-130 Petition.⁷ On April 2, 2021, Defendants accordingly moved to dismiss this case as moot, as Defendant USCIS had granted Plaintiffs their requested relief.⁸ On April 13, 2021, Plaintiffs responded, agreed that they had received their requested relief, and expressed "no[] object[ion] to dismissal on the grounds of mootness."⁹

Accordingly, because this case no longer presents a live controversy between the parties, this Court lacks jurisdiction and hereby **DISMISSES** this case as moot.¹⁰

IT IS SO ORDERED.

Dated: April 14, 2021

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁵ *Id.*

⁶ *Id.* at 19.

⁷ Doc. 14-2.

⁸ Doc. 14.

⁹ Doc. 15.

¹⁰ *Demis v. Snizek*, 558 F.3d 508, 512 (6th Cir. 2009) ("If events occur during the pendency of a litigation which render the court unable to grant the requested relief, the case becomes moot and thus falls outside our jurisdiction.").